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AF/2811

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Klaus Florian Schuegraf et al.  
Title: SELECTIVE SPACER TO PREVENT METAL OXIDE FORMATION DURING POLYCIDIC REOXIDATION  
Docket No.: 303.278US1  
Filed: July 30, 1997  
Examiner: Ori Nadav, Ph.D.  
Serial No.: 08/902,809  
Due Date: May 2, 2000  
Group Art Unit: 2811

**Box AF**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

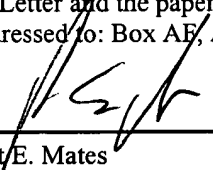
We are transmitting herewith the following attached items (as indicated with an "X"):

- X A return postcard.
- X A Response Under 1.116 (8 Pages).

Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described above, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231, on this 25 day of April, 2000.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
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By:   
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TC 2800 MAIL ROOM

**EXPEDITED PROCEDURE - EXAMINING GROUP 2811**

**S/N 08/902,809**

**PATENT**

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**Filed:** July 30, 1997

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**Title:** SELECTIVE SPACER TO PREVENT METAL OXIDE FORMATION  
DURING POLYCIDIC REOXIDATION

#22/Response  
5-1-00  
V. Vennard

**RESPONSE UNDER 37 C.F.R. § 1.116**

Box AF  
Assistant Commissioner for Patents  
Washington, D.C. 20231

In response to the Final Office Action mailed February 2, 2000, the applicant respectfully requests reconsideration of the above-identified application in view of the following remarks. Claims 23-31 and 36-44 are pending in the application, and are rejected. The pending claims 23-31 and 36-44 have not been amended.

**Rejection of the Claims**

The applicant recognizes that the rejection of the pending claims 23-31 and 36-44 has not changed substantially from the Office Action mailed October 14, 1999, and the applicant hereby refers to and incorporates the response to that Office Action, filed on December 28, 1999, as the response to the rejection of the claims in the Final Office Action. Additional remarks are added below in reply to the Examiner's Response to Arguments.

**Patents Submitted Herewith**

The applicant has attached two U.S. Patents herewith: U.S. Patent No. 5,526,306 to Hikawa et al. (Hikawa) and U.S. Patent No. 5,929,494 to Li. These patents are attached for illustrative and teaching purposes only and they need not be submitted in an Information Disclosure Statement under the exception described in MPEP §609 C(3).

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**Active Area 215**

The applicant will first address the meaning of the term "active area" with reference to the above-listed patents. The Examiner stated, in Paragraph 17, that "it is well known in the art